

AMENDED IN ASSEMBLY APRIL 13, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1286

Introduced by Assembly Member Mayes

February 27, 2015

An act to add *and repeal* Chapter 5.9 (commencing with Section 8490) to Division 1 of Title 2 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL’S DIGEST

AB 1286, as amended, Mayes. ~~Economic Growth Commission.~~
California Regulatory Reform Council.

Existing law establishes the Milton Marks “Little Hoover” Commission on California State Government Organization and Economy in state government with a specified membership and independent state oversight duties.

This bill would ~~establish~~ *establish, until January 1, 2022, the Economic Growth Commission, California Regulatory Reform Council,* composed of 13 members appointed by the Governor, the Senate Committee on Rules, and the Speaker of the Assembly, as specified. This bill would require 4 of the 13 members of the ~~commission~~ *council* to be Members of the Legislature who are to be considered a joint committee of the 2 houses of the Legislature constituted and acting as an investigating committee. This bill would authorize the ~~commission,~~ *council*, on its own motion, to make reports and recommendations to assist the Legislature and Governor in respect to the holistic impact of all levels of state and local regulations on specific industries operating within the state. This bill would deem the ~~commission~~ *council* to be within the executive branch of state government, but prohibit the

~~commission~~ council from being subject to the control or direction of any officer or employee of the executive branch, except in connection with the appropriation of funds approved by the Legislature. *This bill would require the council to, on or before January 1, 2017, and at least annually thereafter, to post on its Internet Web site a list of its ongoing activities and its final reports. This bill would make legislative findings in regards to these provisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *The Legislature finds and declares all of the*
2 *following:*

3 (a) *Duplicative, unnecessary, and outdated regulations have*
4 *negatively impacted economic growth and job creation.*

5 (b) *State, regional, and local governments are ill-equipped to*
6 *provide a holistic view of the total impact of regulatory action*
7 *from all levels of state and local government on specific industries*
8 *and types of businesses.*

9 (c) *The establishment of the California Regulatory Reform*
10 *Council will promote economic growth and job creation by*
11 *providing the Legislature and Governor with varied, but relevant,*
12 *experiences and viewpoints to analyze the holistic impact of all*
13 *levels of state and local regulations on specific industries operating*
14 *within the state.*

15 ~~SECTION 1.~~

16 SEC. 2. Chapter 5.9 (commencing with Section 8490) is added
17 to Division 1 of Title 2 of the Government Code, to read:

18
19 CHAPTER 5.9. ~~ECONOMIC GROWTH COMMISSION~~ CALIFORNIA
20 REGULATORY REFORM COUNCIL

21
22 8490. There is in the state government the ~~Economic Growth~~
23 ~~Commission~~, *California Regulatory Reform Council*, hereafter in
24 this chapter referred to as the ~~“commission.”~~ *“council.”* The
25 ~~commission council~~ shall be composed of 13 members as follows:

26 (a) ~~Five members of the public shall be~~ appointed by the
27 ~~Governor.~~ *Governor, as follows:*

1 (1) *Two public members who reside in different regions of the*
2 *state so that, collectively, these members represent a geographical*
3 *balance of the state.*

4 (2) *One member with professional experience in economic*
5 *modeling of public policies and economic development activities*
6 *who resides in southern California.*

7 (3) *One member with professional experience in economic*
8 *modeling of public policies and economic development activities*
9 *who resides in northern California.*

10 (4) *One member who represents the business community.*

11 (b) ~~Two members of the public shall be appointed by the Senate~~
12 ~~Committee on Rules. Rules, as follows:~~

13 (1) *One member of the public.*

14 (2) *One member who represents the business community.*

15 (c) ~~Two members of the public shall be appointed by the Speaker~~
16 ~~of the Assembly. Assembly, as follows:~~

17 (1) *One member of the public.*

18 (2) *One member who represents the business community.*

19 (d) Two Members of the Senate appointed by the Senate
20 Committee on Rules. These members shall serve at the pleasure
21 of the appointing authority but shall not be registered with the
22 same political party. If a member, while serving on the ~~commission,~~
23 *council*, registers with the same political party as the other member,
24 the Senate Committee on Rules shall replace one of the members
25 with a new member who is not registered with the same political
26 party as the remaining member.

27 (e) Two Members of the Assembly appointed by the Speaker
28 of the Assembly. These members shall serve at the pleasure of the
29 appointing authority but shall not be registered with the same
30 political party. If a member, while serving on the ~~commission,~~
31 *council*, registers with the same political party as the other member,
32 the Speaker of the Assembly shall replace one of the members
33 with a new member who is not registered with the same political
34 party as the remaining member.

35 (f) ~~(1)~~ The members appointed pursuant to subdivisions (a) to
36 (c), inclusive, shall serve ~~four-year~~ *two-year* terms and may be
37 reappointed for additional terms.

38 ~~(2) To establish staggered terms of membership for members~~
39 ~~appointed pursuant to subdivisions (a) to (c), inclusive, on or before~~
40 ~~March 1, 2016, the Governor shall select two of his or her five~~

1 appointees, and the Senate Committee on Rules and the Speaker
2 of the Assembly shall each select one of its two appointees, to
3 serve one term of two years. Thereafter, all members appointed
4 pursuant to subdivisions (a) to (e), inclusive, shall serve terms in
5 compliance with paragraph (1).

6 (g) All vacancies in the ~~commission~~ *council* membership shall
7 be filled in the same manner in which original appointments were
8 made.

9 8490.5. For the purposes of expenditures for the support of the
10 ~~commission~~, *council*, including the expenses of the members of
11 the ~~commission~~, *council*, the ~~commission~~ *council* shall be deemed
12 to be within the executive branch of state government, but the
13 ~~commission~~ *council* shall not be subject to the control or direction
14 of any officer or employee of the executive branch except in
15 connection with the appropriation of funds approved by the
16 Legislature.

17 8490.10. The members of the ~~commission~~ *council* shall serve
18 without compensation, but shall be reimbursed for all necessary
19 expenses actually incurred in the performance of their duties.

20 8490.15. For the purposes of this chapter, the Members of the
21 Legislature serving as members of the ~~commission~~ *council* shall
22 be considered a joint committee of the two houses of the
23 Legislature constituted and to be acting as an investigating
24 committee, and as such shall have the powers and duties imposed
25 on such committees by the Joint Rules of the Senate and Assembly.

26 8490.20. ~~The commission~~ (a) *All members shall be appointed*
27 *on or before March 1, 2016.*

28 (b) *The council shall hold its first meeting on or before April*
29 *1, 2016.*

30 (c) *The council* shall select from among its members a
31 chairperson and vice chairperson, who shall not be registered as
32 members of the same political party.

33 8490.25. Six members of the ~~commission~~ *council* shall
34 constitute a quorum.

35 8490.30. It is the purpose of the Legislature to establish a
36 multibody ~~commission~~, *council*, composed of individuals with
37 varied, but relevant, experiences and viewpoints to analyze the
38 holistic impact of all levels of state and local regulations on specific
39 industries operating within the state.

1 8490.35. The ~~commission~~, *council*, on its own motion, may,
2 for the purpose of making reports and recommendations to assist
3 the Legislature and Governor in respect to the matters listed in
4 Section 8490.30, examine in detail the structure, organization,
5 operation, and impact of all levels of state and local regulations
6 on specific industries operating within the state. The ~~commission~~
7 *council* may make recommendations to the Governor and to the
8 Legislature as the ~~commission~~ *council* deems necessary.

9 8490.40. (a) *The council shall establish an Internet Web site.*

10 (b) *On or before January 1, 2017, and at least annually*
11 *thereafter, the council shall post on its Internet Web site a list of*
12 *its ongoing activities and its final reports.*

13 8490.45. *This chapter shall remain in effect only until January*
14 *1, 2022, and as of that date is repealed.*